

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: REQUEST FOR REAR YARD SETBACK VARIANCE FROM 20 FEET TO 17 FEET FOR A PROPOSED SCREEN ROOM ADDITION IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (RAYMOND DWYER, APPLICANT).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Earnest McDonald **CONTACT:** Rich Steiger **EXT.** 7936

Agenda Date 2-23-04 **Regular** ☐ **Consent** ☒ **Public Hearing – 6:00** ☒

MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR REAR YARD SETBACK VARIANCE FROM 20 FEET TO 17 FEET FOR A PROPOSED SCREEN ROOM ADDITION IN THE PUD (PLANNED UNIT DEVELOPMENT); (RAYMOND DWYER, APPLICANT); OR
2. **DENY** THE REQUEST FOR REAR YARD SETBACK VARIANCE FROM 20 FEET TO 17 FEET FOR A PROPOSED SCREEN ROOM ADDITION IN THE RPUD (PLANNED UNIT DEVELOPMENT); (RAYMOND DWYER, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

(District 5 – McLain)

(Rich Steiger, Planner)

GENERAL INFORMATION	APPLICANT: RAYMOND DWYER LOCATION: 2596 ALAMOSA PLACE ZONING: PUD (PLANNED UNIT DEVELOPMENT), CHASE GROVES 5A
BACKGROUND/REQUEST	<ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO CONSTRUCT A SCREEN ROOM ADDITION, APPROXIMATELY 264 SF IN SIZE. • THE SCREEN ROOM WOULD ENCROACH 3 FEET INTO THE MINIMUM REAR YARD SETBACK; A REAR YARD SETBACK VARIANCE FROM 20 FT TO 17 FT IS THEREBY REQUESTED. • THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.
STAFF FINDINGS	<ul style="list-style-type: none"> • THE APPLICANT HAS SATISFIED THE CRITERIA FOR

	<p>THE GRANT OF THE REQUESTED VARIANCE, AS STATED BELOW:</p> <ul style="list-style-type: none">• THE NARROW FRONTAGE OF THE LOT CONSTITUTES A HARDSHIP BECAUSE THE HOME IS SET BACK FURTHER ON THE LOT TO MEET THE MINIMUM WIDTH AND BUILDING LINE STANDARD OF THE PUD; THEREFORE, BUILDABLE AREA IN THE REAR YARD HAS BEEN REDUCED FOR THE PURPOSES OF ALLOWING AN ADDITION, WHICH COULD HAVE OTHERWISE BEEN BUILT TO COMPLY WITH THE MINIMUM REAR YARD SETBACK.• THE GRANT OF THE REQUESTED VARIANCE WOULD NOT CONFER SPECIAL PRIVILEGES DENIED TO OTHER PROPERTIES IN THE PUD (PLANNED UNIT DEVELOPMENT).• THE REQUESTED VARIANCE WOULD BE THE MINIMUM THAT WOULD MAKE POSSIBLE THE REASONABLE USE OF THE SUBJECT PROPERTY FOR THE PROPOSE SCREEN ROOM ADDITION.
STAFF RECOMMENDATION	<p>STAFF THEREBY RECOMMENDS THE BOARD OF ADJUSTMENT APPROVE THE VARIANCE REQUESTED AND MAKE THE APPROPRIATE FINDINGS OF FACT. IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE IMPOSITION OF THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none">• ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE PROPOSED SCREEN ROOM AS DEPICTED ON THE ATTACHED SITE PLAN; AND• ANY ADDITION CONDITIONS DEEMED APPROPRIATE BY THE BOARD, FOLLOWING INFORMATION PRESENTED AT THE PUBLIC HEARING.

COMMISSION DISTRICT #:

GUI
PROJ. #

ZONED: PUD

SEC: 3

TWP: 20

RNG: 30

DEVELOPMENT:		Chase Groves Unit 5A				DEVELOPER:																	
LOCATION:		Parcel I – 43 lots																					
FILE#:				BA:				SP:				BCC:											
P&Z:																							
PB	50	PG	95	Lot		Blk		Parcel		DBA		Comm	Dist										
DEVEL. ORDER #:				87-0012				TAX PAR. I.D. #:															
SIDEWALKS:								SETBACK REQUIREMENTS <table border="1"> <tr> <td>FY:</td> <td>20'</td> <td>SIDE ST.:</td> <td>15'</td> <td>SY:</td> <td>5'</td> <td>RY:</td> <td>20'</td> </tr> </table>								FY:	20'	SIDE ST.:	15'	SY:	5'	RY:	20'
FY:	20'	SIDE ST.:	15'	SY:	5'	RY:	20'																
ROAD TYPE: (CURB & GUTTER OR SWALE)								MAIN STRUCTURE OTHER:															
COMMENTS OTHER: Min. Lot Size: 5,000 sq. ft.								ACCESSORY STRUCTURE SETBACKS: <table border="1"> <tr> <td>SY:</td> <td>10'</td> <td>RY:</td> <td>10'</td> </tr> </table> ACCESSORY STRUCTURE OTHER:								SY:	10'	RY:	10'				
SY:	10'	RY:	10'																				

IMPACT FEES	
SCREEN:	
TRAFFIC ZONE:	23
LAND USE:	
1. ROAD-CO. WIDE	\$551.91
2. ROAD-COLL.	\$111.70
3. LIBRARY	Ord.
4. FIRE	Ord.
5. PARK	
6. SCHOOL	Ord.
7. LAW	
8. DRAINAGE	\$200/unit
TOTAL	\$2,473.61
REMARKS: Sidewalks/curb & gutter	

COMMITMENT CARD

Instructions: print two-sided on card stock and cut along the left and bottom border.



COPY

APPL. NO. BV 2004-001

APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

Applications to the Seminole County Board of Adjustment shall include all applicable items listed in the Board of Adjustment Process Checklist. No application will be scheduled for Board of Adjustment consideration until a complete application (including all information requested below) has been received by the Planning & Development Department, Planning Division.

APPLICATION TYPE:

☒ **VARIANCE** REAR YARD SETBACK VARIANCE FROM
20' TO 17 FEET FOR ADDITION (WITH STANDARD ROW)

☐ **SPECIAL EXCEPTION**

☐ **MOBILE HOME SPECIAL EXCEPTION**

☐ EXISTING ☐ PROPOSED ☐ REPLACEMENT

MOBILE HOME IS FOR

YEAR OF MOBILE HOME _____ SIZE OF MOBILE HOME _____

ANTICIPATED TIME MOBILE HOME IS NEEDED _____

PLAN TO BUILD ☐ YES ☐ NO IF SO, WHEN _____

MEDICAL HARDSHIP ☐ YES (LETTER FROM DOCTOR REQUIRED) ☐ NO

☐ **APPEAL FROM DECISION OF THE PLANNING MANAGER**

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME	Raymond Dwyer	
ADDRESS	2596 Alamosa Pl.	
	Lake Mary, FL 32746	
PHONE 1	407-323-8002	
PHONE 2	407-835-0428	
E-MAIL	rktdwyer@yahoo.com	

PROJECT NAME: _____

SITE ADDRESS: 2596 Alamosa Pl Lake Mary

CURRENT USE OF PROPERTY: Single Family home

LEGAL DESCRIPTION: See Prog Appr. sheet

SIZE OF PROPERTY: about 6,000 sq' / acre(s) PARCEL I.D. B3-20-30-520-0000-0090

UTILITIES: ☒ WATER ☐ WELL ☒ SEWER ☐ SEPTIC TANK ☐ OTHER _____

KNOWN CODE ENFORCEMENT VIOLATIONS NO

IS PROPERTY ACCESSIBLE FOR INSPECTION ☒ YES ☐ NO LOCKED GATE/CALL AHEAD

This request will be considered at the Board of Adjustment regular meeting on Feb 23 6 PM
(mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole
County Services Building, located at 1101 East First Street in downtown Sanford, FL.

I hereby affirm that all statements, proposals, and/or plans submitted with or contained within
this application are true and correct to the best of my knowledge.

Raymond Dwyer
SIGNATURE OF OWNER OR AGENT*

12/16/03
DATE

* Proof of owner's authorization is required with submittal if signed by agent.

ADDITIONAL VARIANCES

VARIANCE 2:

VARIANCE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

VARIANCE 8:

APPEAL FROM BOA DECISION TO BCC

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME		
ADDRESS		
PHONE 1		
PHONE 2		
E-MAIL		

NATURE OF THE APPEAL

BCC PUBLIC HEARING DATE

FOR OFFICE USE ONLY

PROCESSING:

FEE: \$150 COMMISSION DISTRICT 5 FLU/ZONING PU / PUD
 LOCATION FURTHER DESCRIBED AS LOCATED ON SW CORNER OF
ALAMOSA PLACE CUL-DE-SAC APPROX. 230' FROM THE
CORNER OF ALAMOSA PL. AND BRIGHTVIEW DRIVE
 PLANNER V/B DATE DEC. 16, 2003
 SUFFICIENCY COMMENTS NO OTHER VARIANCES BEING
REQUESTED.

[illegible]

Certified To:
Raymond Dwyer; Karen Dwyer; First Southwestern
Title Company of Florida; Commonwealth Land Title
Insurance Company; Suntrust Bank, its successors
and/or assigns.

Q	LESS
ENGR	ENGR
E	CENT
CON	CONC
PM	PMSP
FLR	FOUR
F.P.	FEARS
R.W.	ROCK
MUS	MAL
DE	DEAR
ME	MYST
FO	FOUR
P	PLAT
ASPH	ASPH
SP.L	POWER
FX	FRANK
CAFV	CABLE
W&W	WATES
TELE	TELEP
CONV	CONVE
BLR	BLARD
CH	CHORD
RAD	RADIAL
N.R.	MINI R.
A/C	AGE CO
B.M	BUNCH
C.B.	CATCH
C.	CALDER

- 1) LEGAL CE
- 2) THE LAND
- 3) OR OTHER
- 4) UNDERGO
- 5) IMPROVEM
- 6) WALL DES
- 7) ONLY VISI
- 8) NO IDENTI
- 9) DIMENSION
- 10) FENCE OR
- 11) ELEVATION
- 12) OTHER FAC
- 13) BEARING S

STUDY MALPH 524

SIX:20
CAR: 1024

SAVED
NOT ALIVE

SAWEE
CL FOR G.

STW 4671
JAMES E.

THIS SURVEY IS A
FOR THE USE OF
CONSTRUCTION OF
OF FIRST FLOOR

NOT VALID
SURVEYOR

**First
Fina
Surv
Inc.**

7
.
front

1-63921


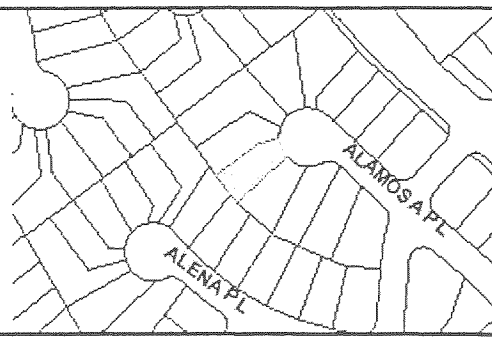

17-30

20

10

$$\begin{aligned} \Delta &= 40.5829'' \\ R &= 50.00' \\ &= 25.26' \end{aligned}$$

$\Delta = 40^{\circ}57'56''$
 $\beta = 50.60'$
 $\gamma = 15.78'$

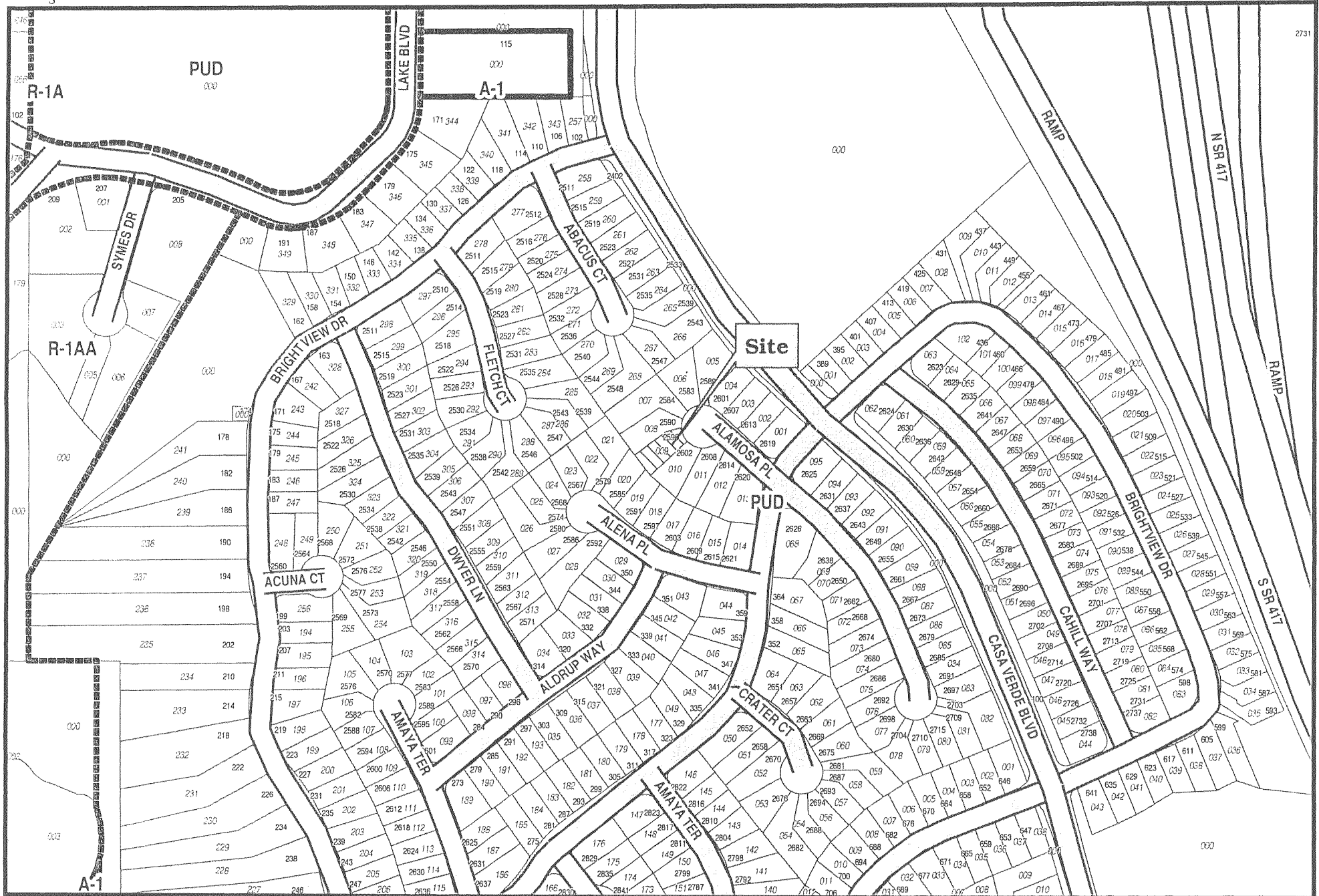
PARCEL DETAIL	REAL ESTATE PERSONAL PROP. TAX ROLL SALES SEARCH	◀ ◁ Back ▷ ▶																																				
 <p>Seminole County Property Appraiser Services 1101 E. First St. Sanford FL 32771 407-665-7506</p>																																						
<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 03-20-30-520-0000-0090 Tax District: 01-TX DIST 1 - COUNTY</p> <p>Owner: DWYER RAYMOND JR & KAREN D Exemptions: 00-HOMESTEAD</p> <p>Address: 2596 ALAMOSA PL</p> <p>City,State,ZipCode: LAKE MARY FL 32746</p> <p>Property Address: 2596 ALAMOSA PL LAKE MARY 32746</p> <p>Subdivision Name: CHASE GROVES UNIT 5A</p> <p>Dor: 01-SINGLE FAMILY</p>		<p style="text-align: center;">2004 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$94,366</p> <p>Depreciated EXFT Value: \$0</p> <p>Land Value (Market): \$21,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$115,366</p> <p>Assessed Value (SOH): \$106,360</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$81,360</p>																																				
<p style="text-align: center;">SALES</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> </tr> </thead> <tbody> <tr> <td>WARRANTY DEED</td> <td>07/2000</td> <td>03899</td> <td>0650</td> <td>\$119,000</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>06/1997</td> <td>03253</td> <td>0004</td> <td>\$97,000</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>10/1996</td> <td>03152</td> <td>0883</td> <td>\$445,000</td> <td>Vacant</td> </tr> </tbody> </table> <p style="text-align: center;">Find Comparable Sales within this Subdivision</p>		Deed	Date	Book	Page	Amount	Vac/Imp	WARRANTY DEED	07/2000	03899	0650	\$119,000	Improved	WARRANTY DEED	06/1997	03253	0004	\$97,000	Improved	WARRANTY DEED	10/1996	03152	0883	\$445,000	Vacant	<p style="text-align: center;">2003 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$1,553</p> <p>2003 Tax Bill Amount: \$1,352</p> <p>Savings Due To SOH: \$201</p> <p>2003 Taxable Value: \$78,867</p> <p style="text-align: center;">DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>												
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<p>NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.</p> <p>*** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																																						

[BACK](#)
 [PROPERTY APPRAISER HOME PAGE](#)
 [CONTACT](#)

List # 45
 FLU = PD
 ZONE = PUD

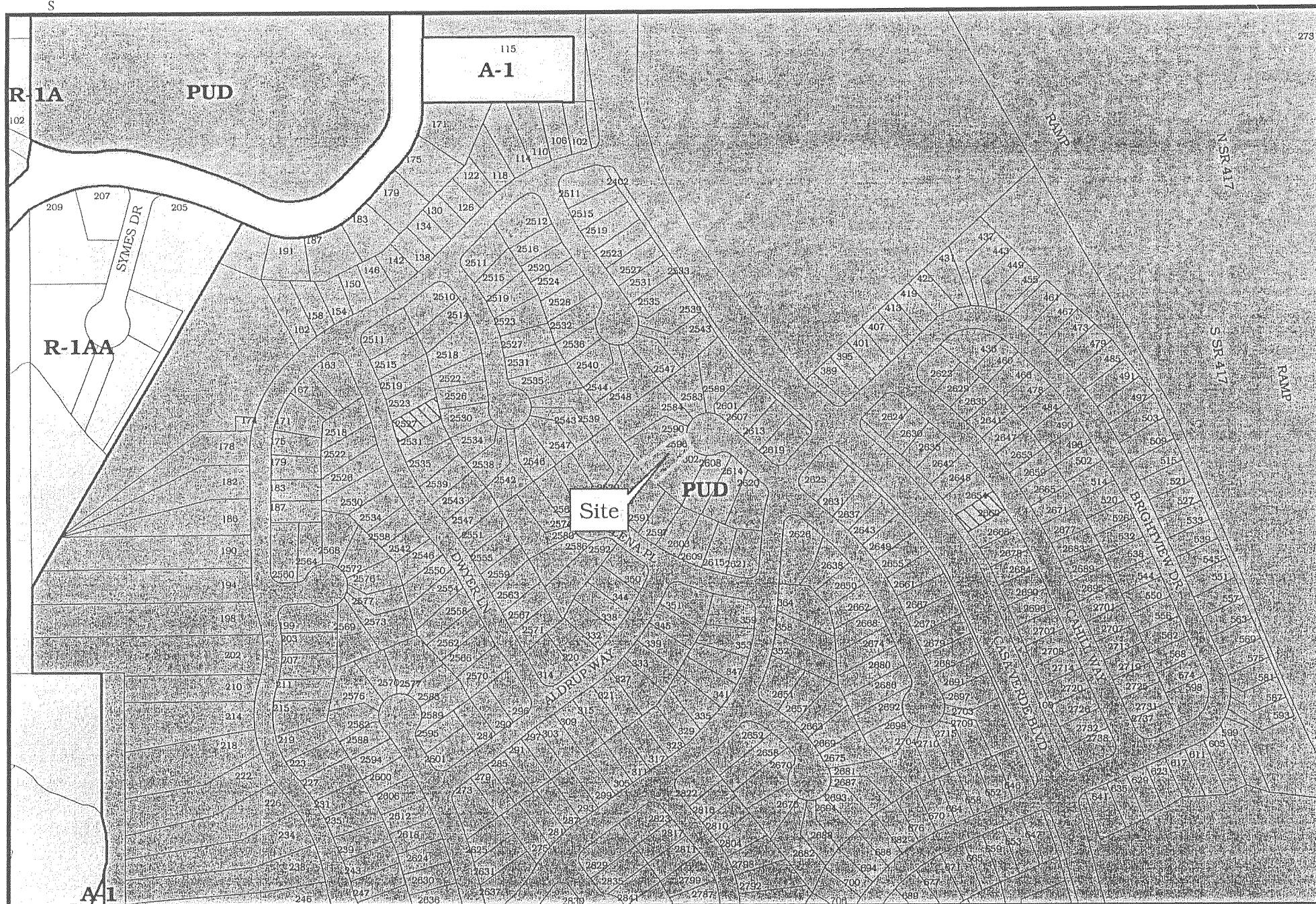


Raymond Dwyer 2596 Alamosa Pl.





NAME
ADDR



0 150 300 600 Feet

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On February 23, 2004, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 9 CHASE GROVES UNIT 5A PB 50 PGS 95 & 96

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: RAYMOND DWYER
2596 ALAMOSA PLACE
LAKE MARY, FL 32746

Project Name: ALAMOSA PLACE (2596)

Requested Development Approval:

REQUEST FOR SIDE YARD SETBACK VARIANCE FROM 20 FEET TO 17 FEET FOR A PROPOSED COVERED SCREEN ROOM.

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Rich Steiger, Planner
1101 East First Street
Sanford, Florida 32771

Order**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

(1) The aforementioned application for development approval is **GRANTED**.

(2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.

(3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

1. The variance granted will apply only to the proposed screen room as shown on the attached site plan and elevation drawings.

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
Matthew West
Planning Manager

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____ who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2004.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: